

HOUSE No. 1022

By Mr. Sannicandro of Ashland, petition of Tom Sannicandro and others relative to special education due process costs. Education.

The Commonwealth of Massachusetts

PETITION OF:

Tom Sannicandro	Deborah D. Blumer
Alice K. Wolf	David Paul Linsky
Karen E. Spilka	Barbara A. L'Italien

In the Year Two Thousand and Five.

AN ACT RELATIVE TO SPECIAL EDUCATION DUE PROCESS COSTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Section 3 of chapter 71B of the General Laws, as appearing in
- 2 the 2002 Official Edition, is hereby amended by inserting after the
- 3 twelfth paragraph the following paragraph:—
- 4 Parents, guardians or persons with custody of a student, who
- 5 have requested a hearing seeking resolution of any dispute with
- 6 the bureau of special education appeals, shall be entitled to rea-
- 7 sonable attorney's fees as a "prevailing party" if the request
- 8 achieves the desired result because the request for hearing brought
- 9 about a voluntary change in the school district's conduct.